

Response to Missing Requirements Under 35 USC § 371	Attorney Docket No.: DAIRY88.011APC
	First Named Inventor: Ganugapati Vijaya Bhaskar
	Int'l Application No.: PCT/NZ2003/000288
	US Application No.: 10/540,829
	Entered National Phase: June 24, 2005
Title: DAIRY PROTEIN PROCESS AND APPLICATIONS THEREOF	
Direct all correspondence to Customer No.: 20995	
Date: February 17, 2006 Page 1 of 2	

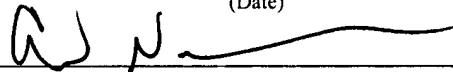
Mail Stop PCT

United States Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

February 17, 2006

(Date)



Andrew N. Merickel, Reg. No. 53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated December 21, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) Copy of Deposit Account Statement in 2 pages showing that the \$200 Additional Claims fee detailed on the Notification of Missing Requirements was previously paid.
- (X) Return prepaid postcard.

FILING FEES NOT YET PAID:

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	26 - 26 = 0	1615 (\$50)	0 x 50 =	\$0*
			SUB TOTAL	\$130
			TOTAL FEE DUE	\$130*

- (X) A check in the amount of **\$130** is enclosed to cover the above fees.

*The PTO previously charged Applicants deposit account for the excess claim fee as shown on the attached Deposit Account Statement.

02/23/2006 MKAYPAGH 00000050 10540829

01 FC:1617

130.00 DP

**Response to Missing
Requirements Under
35 USC § 371**

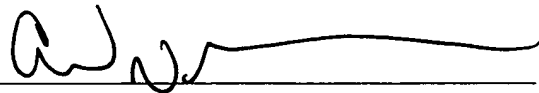
Attorney Docket No.: DAIRY88.011APC
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THEREOF

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Page 2 of 2

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



Andrew N. Merickel
Registration No. 53,317
Attorney of Record
Customer No. 20,995
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2284679
011206



UNITED STATES PATENT AND TRADEMARK OFFICE

DAIRY 88-011 APC
Rec'd PCT/PTO 21 FEB 2006
 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO. 10/540,829	FIRST NAMED APPLICANT Ganugapati Vijaya Bhaskar	ATTY. DOCKET NO. DAIRY88.011APC
		INTERNATIONAL APPLICATION NO. PCT/NZ03/00288
		I.A. FILING DATE 12/24/2002
		PRIORITY DATE

20995
 KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

CONFIRMATION NO. 2247
371 FORMALITIES LETTER

 OC000000017670537

Date Mailed: 12/21/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/24/2005
- Copy of the International Search Report filed on 06/24/2005
- Copy of IPE Report filed on 06/24/2005
- Preliminary Amendments filed on 06/24/2005
- Information Disclosure Statements filed on 06/24/2005
- U.S. Basic National Fees filed on 06/24/2005
- Priority Documents filed on 06/24/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$200** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$330** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is \$ **200**
 - **\$200** for **3** independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,829	PCT/NZ03/00288	DAIRY88.011APC

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**United States
Patent and
Trademark Office**

**Deposit Account Statement**

Requested Statement Month: December 2005
Deposit Account Number: 111410
Name: KNOBBE MARTENS OLSON & BEAR, LLP
Attention: ATT BOBBI WALTERS
Address: 2040 MAIN STREET 14TH FLOOR
City: IRVINE
State: CA
Zip: 92660
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	B/
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